

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RONALD HARRIS,

Plaintiff,

v.

DEPUTY R. O'LEARY, et al.,

Defendants.

CASE NO. 1:21-cv-00052-AWI-SKO

**ORDER ADOPTING FINDINGS AND
RECOMMENDATION TO DISMISS FOR
PLAINTIFF'S FAILURE TO COMPLY
WITH THE COURT'S ORDERS AND
FAILURE TO PROSECUTE**

(Doc. No. 30)

Plaintiff Ronald Harris is proceeding *pro se* in this action. On two occasions, the court directed Plaintiff to serve the summonses and First Amended Complaint upon defendants in accordance with Federal Rule of Civil Procedure 4. (*See* Doc. Nos. 13 & 20.) On June 16, 2022, the court issued an order directing Plaintiff to file either proofs of service on Defendants or a status report by no later than September 1, 2022, indicating whether he intends to continue to prosecute this case. (Doc. No. 27.) To date, Plaintiff has not filed proofs of service or a status report, nor has he requested an extension of time in which to do so.

On September 9, 2022, an order issued for Plaintiff to show cause ("OSC") within thirty days why the action should not be dismissed for his failure to comply with the court's orders directing Plaintiff to file proofs of service. (Doc. No. 29.) Plaintiff was warned in the OSC that the failure to comply with the court's order would result in a recommendation to the presiding district judge of the dismissal of this action. (*Id.*) Plaintiff did not respond to the OSC.

On October 19, 2022, the assigned magistrate judge issued findings and recommended that the case be dismissed for failing to comply with the court's orders directing Plaintiff to file proofs of service and with the OSC. (Doc. No. 30.) Plaintiff was granted thirty (30) days in which to file objections to the findings and recommendation. (*Id.*) No objections have been filed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, the court finds that the findings
3 and recommendation are supported by the record and proper analysis.

4 ORDER

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendation dated October 19, 2022 (Doc. No. 30), are
7 ADOPTED IN FULL;
8 2. This action is DISMISSED without prejudice; and
9 3. The Clerk of Court is directed to close this case.

10 IT IS SO ORDERED.

11 Dated: November 30, 2022

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13 SENIOR DISTRICT JUDGE
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